

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND;
and CHARLES A. WHOBREY, as Trustee,

Plaintiffs,

v.

KENTRAIL LEASING, INC., a New Jersey
corporation; F. P. KENNEDY LEASING,
INC., a New Jersey corporation; STICKLE
REALTY, INC., a New Jersey corporation;
KENNEDY FAMILY LLC, a New York
limited liability company; FPK, L.L.C.,
a New Jersey limited liability company; and
172 GARFIELD, LLC, a New Jersey limited
liability company,

Defendants.

Case No. 18-cv-3357

Hon. Jeffrey I. Cummings
District Judge

**PLAINTIFFS' MOTION FOR ENTRY OF CONSENT JUDGMENT
AGAINST KENNEDY FAMILY LLC**

Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund (the "Pension Fund"), and Charles A. Whobrey, as Trustee, hereby move this Court to enter a consent judgment in favor of Plaintiffs and against Defendant Kennedy Family LLC. In support of this agreed motion, Plaintiffs state as follows:

1. Plaintiffs filed the Complaint to establish withdrawal liability against Defendants under the Employee Retirement Income Security Act of 1974 ("ERISA") as amended by the Multiemployer Pension Plan Amendments Act of 1980, 29 U.S.C. § 1001 *et seq.*

2. On March 6, 2024, the Court previously entered a Consent Judgement against all of the Defendants except Defendant Kennedy Family LLC. (Dkt. No. 120.)

3. The parties have now agreed to the entry of a consent judgment in favor of Plaintiffs against Defendant Kennedy Family LLC.

4. With the entry of a consent judgment against Kennedy Family LLC, the litigation will be concluded and the court may strike the motion for summary judgment filing date of December 19, 2024.

5. Prior to the filing of this motion, Plaintiffs' counsel, Anthony E. Napoli, and Defendants' counsel, John M. Loalbo, agreed to the entry of the proposed consent judgment against Kennedy Family LLC.

6. A copy of the proposed Consent Judgment is attached hereto as Exhibit 1. The proposed Consent Judgment will also be submitted electronically to the Court's e-mail address for proposed orders.

WHEREFORE, Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund and Charles A. Whobrey, as Trustee, respectfully request that the Court enter the proposed Consent Judgment against Defendant Kennedy Family LLC which is attached hereto as Exhibit 1.

Respectfully submitted,

/s/Anthony E. Napoli

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